

110TH CONGRESS
1ST SESSION

S. 1584

To reauthorize and amend the Hydrographic Services Improvement Act, and
for other purposes.

IN THE SENATE OF THE UNITED STATES

JUNE 7, 2007

Mr. INOUE (for himself and Mr. STEVENS) (by request) introduced the following bill; which was read twice and referred to the Committee on Commerce, Science, and Transportation

A BILL

To reauthorize and amend the Hydrographic Services
Improvement Act, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Hydrographic Services
5 Improvement Act Amendments of 2007”.

6 **SEC. 2. REDESIGNATIONS.**

7 The Hydrographic Services Improvement Act of 1998
8 is amended by redesignating sections 302 through 306 (33
9 U.S.C. 892d) as sections 303 through 307, respectively.

1 **SEC. 3. ADDITION OF FINDINGS AND PURPOSES.**

2 The Hydrographic Services Improvement Act of 1998
3 (33 U.S.C. 892 et seq.) is amended by inserting a new
4 section 302 as follows:

5 **“SEC. 302. FINDINGS AND PURPOSES**

6 “(a) FINDINGS.—The Congress finds that—

7 “(1) in 2007, the Nation celebrates the 200th
8 anniversary of its oldest scientific agency, the Survey
9 of the Coast, which was authorized by Congress and
10 created by President Thomas Jefferson in 1807 to
11 conduct surveys of the coast and provide nautical
12 charts for safe passage through the Nation’s ports
13 and along its extensive coastline;

14 “(2) these mission requirements and capabili-
15 ties, which today are located in the National Oceanic
16 and Atmospheric Administration, evolved over time
17 to include research, development, operations, prod-
18 ucts, and services associated with hydrographic, geo-
19 detic, shoreline and baseline surveying; cartography,
20 mapping, and charting; tides, currents, and water
21 level observations; maintenance of a national spatial
22 reference system, and associated products and serv-
23 ices;

24 “(3) there is a need to maintain federal exper-
25 tise and capability in hydrographic data and services
26 to support a safe and efficient marine transportation

1 system for the enhancement and promotion of inter-
2 national trade and interstate commerce vital to the
3 Nation's economic prosperity and for myriad other
4 commercial and recreational activities;

5 “(4) the Nation's marine transportation system
6 is becoming increasingly congested, the volume of
7 international maritime commerce is expected to dou-
8 ble within the next 20 years, and nearly half of the
9 cargo transiting U.S. waters is oil, refined petroleum
10 products, or other hazardous substances;

11 “(5) in addition to commerce, hydrographic
12 data and services support other national needs for
13 the Great Lakes and coastal waters, the territorial
14 sea, the Exclusive Economic Zone, and the conti-
15 nental shelf of the United States, including emer-
16 gency response; homeland security; marine resource
17 conservation; coastal resiliency to sea-level rise,
18 coastal inundation, and other hazards; ocean and
19 coastal science advancement; and improved and inte-
20 grated ocean and coastal mapping and observations
21 for an integrated ocean observing system;

22 “(6) the National Oceanic and Atmospheric Ad-
23 ministration, in cooperation with other agencies and
24 the States, serves as the Nation's leading civil au-
25 thority for establishing and maintaining national

1 standards and datums for hydrographic data and
2 services;

3 “(7) the Director of the National Oceanic and
4 Atmospheric Administration’s Office of Coast Survey
5 serves as the U.S. National Hydrographer and the
6 primary U.S. representative to the international hy-
7 drographic community, including the International
8 Hydrographic Organization;

9 “(8) the hydrographic expertise, data, and serv-
10 ices of the National Oceanic and Atmospheric Ad-
11 ministration provide the underlying and authori-
12 tative basis for baseline and boundary demarcation,
13 including the establishment of marine and coastal
14 territorial limits and jurisdiction, such as the Exclu-
15 sive Economic Zone; and

16 “(9) research, development and application of
17 new technologies will further increase efficiency, pro-
18 mote the Nation’s competitiveness, provide social
19 and economic benefits, enhance safety and environ-
20 mental protection, and reduce risks.

21 “(b) PURPOSES.—The purposes of this Act are to—

22 “(1) augment the ability of the National Oce-
23 anic and Atmospheric Administration to fulfill its re-
24 sponsibilities under this and other authorities;

1 “(2) provide more accurate and up-to-date hydrographic data and services in support of safe and
2 efficient international trade and interstate commerce, including hydrographic surveys; electronic
3 navigational charts; real-time tide, water level, and
4 current information and forecasting; shoreline surveys; and geodesy and three-dimensional positioning
5 data;
6

7 “(3) support homeland security, emergency response, ecosystem approaches to marine management, and coastal resiliency by providing hydrographic data and services with many other useful
8 operational, scientific, engineering, and management applications, including storm surge, tsunami, coastal
9 flooding, erosion, and pollution trajectory monitoring, predictions, and warnings; marine and coastal
10 geographic information systems; habitat restoration; long-term sea-level trends; and more accurate
11 environmental assessments and monitoring;
12

13 “(4) promote improved integrated ocean and coastal mapping and observations through increased
14 coordination and cooperation;
15

16 “(5) provide for and support research and development in hydrographic data, services and related
17 technologies to enhance the efficiency, accuracy and
18

1 availability of hydrographic data and services and
2 thereby promote the Nation’s scientific and techno-
3 logical competitiveness; and

4 “(6) provide national and international leader-
5 ship for hydrographic and related services, sciences,
6 and technologies.”.

7 **SEC. 4. CHANGES IN DEFINITIONS.**

8 Section 303 of the Hydrographic Services Improve-
9 ment Act of 1998 (33 U.S.C. 892), as redesignated by
10 section 2, is amended—

11 (1) by amending paragraph (3) to read as fol-
12 lows:

13 “(3) HYDROGRAPHIC DATA.—The term ‘hydro-
14 graphic data’ means information acquired through
15 hydrographic, bathymetric, or shoreline surveying;
16 geodetic, geospatial, or geomagnetic measurements;
17 tide, water level, and current observations, or other
18 methods, that is used in providing hydrographic
19 services.”;

20 (2) by amending paragraph (4)(A) to read as
21 follows:

22 “(A) the management, maintenance, inter-
23 pretation, certification, and dissemination of
24 bathymetric, hydrographic, shoreline, geodetic,
25 geospatial, geomagnetic, and tide, water level,

1 and current information, including the produc-
 2 tion of nautical charts, nautical information
 3 databases, and other products derived from hy-
 4 drographic data;” and

5 “(3) by amending paragraph (5) to read as fol-
 6 lows:

7 “(5) COAST AND GEODETIC SURVEY ACT.—
 8 The term ‘Coast and Geodetic Survey Act’ means
 9 the Act entitled ‘An Act to define the functions and
 10 duties of the Coast and Geodetic Survey, and for
 11 other purposes’, approved August 6, 1947 (33
 12 U.S.C. 883a et seq.).”.

13 **SEC. 5. CHANGES IN FUNCTIONS OF THE ADMINISTRATOR.**

14 Section 304 of the Hydrographic Services Improve-
 15 ment Act of 1998 (33 U.S.C. 892a), as redesignated by
 16 section 2, is amended—

17 (1) in subsection (a)—

18 (A) in the stem by striking “To fulfill the
 19 data gathering and dissemination duties of the
 20 Administration under the Act of 1947,” and in-
 21 serting “To fulfill the data gathering and dis-
 22 semination duties of the Administration under
 23 the Coast and Geodetic Survey Act, promote
 24 safe, efficient, and environmentally sound ma-

1 rine transportation, and otherwise fulfill the
2 purposes of this Act,”;

3 (B) in paragraph (1) by striking “data;”
4 and inserting “data and provide hydrographic
5 services;”;

6 (2) by amending subsection (b) to read as fol-
7 lows:

8 “(b) AUTHORITIES.—To fulfill the data gathering
9 and dissemination duties of the Administration under the
10 Coast and Geodetic Survey Act, promote safe, efficient,
11 and environmentally sound marine transportation, and
12 otherwise fulfill the purposes of this Act, subject to the
13 availability of appropriations—

14 “(1) the Administrator may procure, lease,
15 evaluate, test, develop, and operate vessels, equip-
16 ment, and technologies necessary to ensure safe
17 navigation and maintain operational expertise in hy-
18 drographic data acquisition and hydrographic serv-
19 ices;

20 “(2) the Administrator shall design, install,
21 maintain, and operate real-time hydrographic moni-
22 toring systems to enhance navigation safety and effi-
23 ciency;

24 “(3) where appropriate and to the extent that
25 it does not detract from the promotion of safe and

1 efficient navigation, the Administrator may acquire
2 hydrographic data and provide hydrographic services
3 to support the conservation and management of
4 coastal and ocean resources;

5 “(4) where appropriate, the Administrator may
6 acquire hydrographic data and provide hydrographic
7 services to save and protect life and property and
8 support the resumption of commerce in response to
9 emergencies, natural and man-made disasters, and
10 homeland security and maritime domain awareness
11 needs, including obtaining Mission Assignments as
12 defined in section 741 of title 6, United States Code;

13 “(5) the Administrator shall have the authority
14 to create, support and maintain such joint centers,
15 and to enter into and perform such contracts, leases,
16 grants, or cooperative agreements as may be nec-
17 essary to carry out the purposes of this Act; and

18 “(6) notwithstanding paragraph (5), the Ad-
19 ministrator may award contracts for the acquisition
20 of hydrographic data in accordance with title IX of
21 the Federal Property and Administrative Services
22 Act of 1949 (40 U.S.C. 1101 et seq.).”.

23 **SEC. 6. CHANGES TO QUALITY ASSURANCE PROGRAM.**

24 Section 305 of the Hydrographic Services Improve-
25 ment Act of 1998 (33 U.S.C. 892b), as redesignated by

1 section 2, is amended in subsections (b)(1)(A) and (b)(2)
 2 by striking “303(a)(3)” and inserting “304(a)(3)”.

3 **SEC. 7. CHANGES IN HYDROGRAPHIC SERVICES REVIEW**

4 **PANEL.**

5 Section 306 of the Hydrographic Services Improve-
 6 ment Act of 1998 (33 U.S.C. 892c), as redesignated by
 7 section 2, is amended—

8 (1) in subsection (b)(1) by striking “303” and
 9 inserting “304”;

10 (2) by amending subsection (c)(1)(A) to read as
 11 follows:

12 “(A) The panel shall consist of 15 voting
 13 members who shall be appointed by the Admin-
 14 istrator. The Co-directors of the Joint Hydro-
 15 graphic Institute and no more than two employ-
 16 ees of the National Oceanic and Atmospheric
 17 Administration appointed by the Administrator
 18 shall serve as nonvoting members of the panel.
 19 The voting members of the panel shall be indi-
 20 viduals who, by reason of knowledge, experi-
 21 ence, or training, are especially qualified in one
 22 or more of the disciplines and fields relating to
 23 hydrographic data and hydrographic services, as
 24 defined in this Act, and other disciplines as de-
 25 termined appropriate by the Administrator.”;

1 (3) in subsections (c)(1)(C), (c)(3), and (e) by
2 striking “Secretary” and inserting “Administrator”;
3 and

4 (4) by amending subsection (d) to read as fol-
5 lows:

6 “(d) COMPENSATION.—Voting members of the panel
7 shall be reimbursed for actual and reasonable expenses,
8 such as travel and per diem, incurred in the performance
9 of such duties.”.

10 **SEC. 8. CHANGES TO AUTHORIZATION OF APPROPRIA-**
11 **TIONS.**

12 Section 307 of the Hydrographic Services Improve-
13 ment Act of 1998 (33 U.S.C. 892d), as redesignated by
14 section 2, is amended to read as follows:

15 “There are authorized to be appropriated to the Ad-
16 ministrator \$168,771,000 in fiscal year 2008 and there-
17 after such sums as may be necessary for each of fiscal
18 years 2009 through 2012 for the purposes of carrying out
19 this Act.”.

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